

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey D. Lindsay, et al.)
 Serial No: 10/743,556)
 Filed: December 22, 2003)
 Confirmation No: 5072)
 Title: Activatable Fastening System and Web Having Elevated)
 Regions and Functional Material Members)



Group Art Unit: 3677
 Examiner: James Brittain
 Our Client ID: 22827
 Our Account No: 04-1403

Commissioner for Patents
 U.S. Patent and Trademark Office
 Post Office Box 1450
 Alexandria, VA 22313-1450

ELECTION OF SPECIES

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee
Total Effective Claims <u>53</u>	minus <u>53</u>	= <u>0</u>	X \$18 = <u>\$.00</u>

Independent Claims 5 minus 5 = 0 x \$86 = \$.00

If amendment enters proper multiple dependent claim(s) into this application for first time, add \$290.00 (per application) \$.00

Since Official Action set an original due date of _____,
 PETITION is hereby made for an extension to cover the date this response is filed for which the
 requisite fee is enclosed (1 month \$110; 2 months \$420; 3 months \$950; 4 months \$1480) \$.00

If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$110.00) \$.00

SUBTOTAL: \$.00

If "small entity" verified statement filed [] previously,
 [] herewith, enter one-half (%) of subtotal and subtract \$.00

TOTAL: \$.00

Other: \$.00

TOTAL FEE ENCLOSED: \$.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:
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 Greenville, SC 29602 USA
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DORITY & MANNING
ATTORNEYS AT LAW, P.A.

By: Neal P. Pierotti Reg. No: 45,716 Date: August 9, 2005.

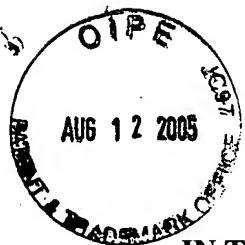
Signature: Neal P. Pierotti

I hereby certify that this correspondence and any referenced attachment and fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Post Office Box 1450, Alexandria, VA 22313-1450, on August 9, 2005.

Denise Bulkeley

(Type or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



ATTORNEY DOCKET NO.: KCX-767 (19738)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey D. Lindsay, et al.)
Serial No.: 10/743,556) Examiner: James Brittain
Filed: December 22, 2003) Art Unit: 3677
Title: Activatable Fastening System) Deposit Acct. No.:04-1403
and Web Having Elevated Regions and)
Functional Material Members) Our Customer No.: 22827

RESPONSE TO ELECTION REQUIREMENT

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In this Response to the Office Action of July 27, 2005, Applicants elect as required a species for examination.

ELECTION OF SPECIES

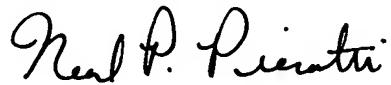
In the Office Action, Election of Species between functional members (Species Ia, Ib, Ic, II, III), a layer (Group 1-Group 4) and a configuration (Geometry 1-Geometry 5) was required. Applicants hereby elect, without traverse, the species including the functional member Group Ia (hooks without an actuation member), the layer of Group 1 (an elastic layer) and a configuration of Geometry 1 (sinusoidal configuration of Figs. 1-5 with the functional elements in the cavities on one side) for initial prosecution. The Species of Group Ia, Group 1 and Geometry 1 has claims 1-12, 14-16, 18, 19, 21-28, 30-32, 34 and 37-44 readable thereon. Applicants reserve the right to prosecute subsequently the non-elected Species without prejudice or disclaimer.

Applicants respectfully submit that at least claim 1 is generic to functional members Group Ia, Group Ib, Group Ic, Group II, Group III, Groups 1-4 and Geometries 1-4. Applicants respectfully submit that at least claim 45 is readable on the Species of Geometry 5.

In view of the above election, Applicants respectfully request Examination of the present Application and the timely allowance of the pending claims. The Examiner is encouraged to contact the undersigned in regards to any questions concerning this matter or if any additional information is needed.

Respectfully submitted,

DORITY & MANNING, P.A.



Neal P. Pierotti
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August 10, 2005

Date